

**EXHIBIT**

39-R

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**MILITARY PROTECTIVE ORDER****PRIVACY ACT STATEMENT**

In accordance with the Privacy Act of 1974 (Public Law 93-579), this notice informs you of the purpose of the form and how it will be used. Please read it carefully.

0279-11-C1D093-42143

**AUTHORITY:** 5 U.S.C. 301, Departmental Regulations; 10 U.S.C. 136, Under Secretary of Defense for Personnel and Readiness; and National Defense Authorization Act for Fiscal Year 1995, Sec. 534.

**PRINCIPAL PURPOSE(S):** To inform the service member and the protected person that the commanding officer is issuing an order to the member prohibiting contact or communication with the protected person or members of the protected person's family or household and directing that the member take specified actions that support, or are in furtherance of, the prohibition.

**ROUTINE USE(S):** Any release of information outside of the Department of Defense shall be compatible with the purposes for which the information is being collected and shall be in accordance with an established routine use for the record system where the information is maintained.

**DISCLOSURE:** Voluntary. Failure to disclose/verify information will not delay either the issuance of the order or the enforceability of the order.

1. SERVICE MEMBER				2. PROTECTED PERSON (Important: see NOTE)			
a. RANK PFC	b. LAST NAME AGUIGUI	FIRST NAME ISSAC	MI G	a. RANK SPC	b. LAST NAME AGUIGUI	FIRST NAME DEIRDRE	MI A
c. UNIT 6-8 CAV, 4TH IBCT, 3rd ID				c. UNIT 4-3 BSTB, 4TH IBCT, 3rd IF			
d. INSTALLATION Fort Stewart, GA 31314				d. INSTALLATION Fort Stewart, GA 31314			

**NOTE:** Omit information in Item 2 that, if known to the service member in Item 1, could endanger the protected person.

**3. INFORMATION SUPPORTING ISSUANCE OF THIS MILITARY PROTECTIVE ORDER**

—On Saturday 12 MAR 11 you and wife were in a verbal altercation during a party at another service member's house.

—On Sunday morning 13 MAR 11, you brought and "slept with" another woman who was not your wife into the home you share with SPC Aguiqui. Upon her return there was a physical altercation between your spouse and the woman you brought home.

—On Monday 14 MAR 11, you "stole" your spouse's uniforms and did not return them until confronted by her and this chain of command.

—To prevent further incident between you and your spouse.

**4. THE PROTECTED PERSON HAS ALSO BEEN ISSUED THE FOLLOWING COURT ORDERS:**

1	a. Civil protection order issued (Date - YYYYMMDD) _____, in _____ Court, _____, County, State of _____
	b. Order issued (Date - YYYYMMDD) _____, in _____ Court, _____ _____, County, State of _____
	Property Settlement Custody and/or Visitation


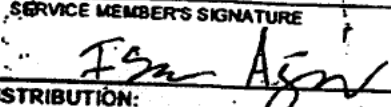
DD FORM 2873, JUL 2004

PREVIOUS EDITION IS OBSOLETE.

APD PE v1.00

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5. As a Commanding Officer with jurisdiction over the above-named service member, I find that there is sufficient reason to conclude that the issuance of an order is warranted in the best interest of good order and discipline. It is hereby ordered that (Initial applicable portions):	
MA	a. The above-named service member is restrained from initiating any contact or communication with the above-named protected person either directly or through a third party. For purposes of this order, the term "communication" includes, but is not limited to, communication in person, or through a third party, via face-to-face contact, telephone, or in writing by letter, data fax, or electronic mail. If the protected person initiates any contact with the service member, the service member must immediately notify me regarding the facts and circumstances surrounding such contact.
MA	b. The above-named service member shall remain at all times and places at least <u>1000</u> feet away from the above-named protected person and members of the protected person's family or household including, but not limited to, residences and workplaces. Members of the protected person's family or household include: N/A
	c. The above-named service member will vacate the military residence shared by the parties located at:
	d. Until further notified, the above-named service member will be provided temporary military quarters at:
	e. The above-named service member will attend the following counseling:
	f. The above-named service member will surrender his/her government weapons custody card at the time of issuance of this order.
	g. The above-named service member will dispose of his/her personal firearm(s) that are located or stored on the installation at the time of issuance of this order.
MA	h. Exceptions to this order will be granted only after an advance request is made to me and approved by me.
MA	i. Other specific provisions of this order: Any necessary contact between you and your spouse will take place through either SSG Brunhoeber or SFC Braudis. If you need to talk to her, do it through either of them.
6. DURATION: The terms of this order shall be effective until <u>20110615</u> , unless sooner rescinded, modified, or extended in writing by me.	
ENFORCEABILITY: Violation of this order or an applicable civilian protection order shall constitute a violation of Article 90 of the Uniform Code of Military Justice.	
a. COMMANDING OFFICER'S SIGNATURE	b. DATE (YYYYMMDD)
	<u>20110315</u>
7. I hereby acknowledge receipt of a copy of this order and attest that I understand the terms and conditions it imposes on me.	
a. SERVICE MEMBER'S SIGNATURE	b. DATE (YYYYMMDD)
	<u>20110215</u>
DISTRIBUTION:	
Service member	Protected person (Custodial parent of protected child)
Service member's local personnel file	

DD FORM 2873 (BACK), JUL 2004

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EXHIBIT 12  
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